

AMENDED IN ASSEMBLY MARCH 15, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 251

Introduced by Assembly Member Fuentes

February 3, 2011

An act to add Section 52372.6 to, and to add and repeal Section 46308 of, the Education Code, relating to high schools.

LEGISLATIVE COUNSEL’S DIGEST

AB 251, as amended, Fuentes. High schools: career technical education.

(1) Existing law defines a “multiple pathway program” as a multiyear, comprehensive high school program of integrated academic and technical study that ensures that all pupils have curriculum choices that prepare them for career entry and a full range of postsecondary options. Existing law requires the Superintendent of Public Instruction, in conjunction with specified entities, to develop a report on the feasibility of establishing and expanding multiple pathway programs. Under existing law, multiple pathway programs created for high schools include partnership academies, regional occupational centers and programs, charter schools, academies, small learning communities, and other career-themed small schools.

Existing law authorizes a school district that maintains a high school to provide work experience education, as defined. Existing law prohibits attendance in work experience classes or programs maintained by a regional occupational center or program from receiving apportionments from state funds based on average daily attendance unless those classes or programs are in conformance with specified standards, and *it* limits the number of hours of attendance per calendar week that a pupil

enrolled in a vocational education class using the cooperative vocational education methodology conducted by a regional occupational center or program ~~with that pupil~~ may be credited *with*.

The bill, commencing with the 2012–13 school year and until ~~the~~ July 1, 2018, would make a school district with an integrated academic and workforce approach to high school reform or a work-based learning initiative eligible to apply to receive state funding based on minimum weekly attendance instead of average daily attendance for pupils enrolled in its work-based learning or multiple pathway programs, or both. The bill would prohibit a school district and a high school from using minimum weekly attendance to reduce the number of days instruction is offered or that a pupil is required to be in attendance at school or a work-based learning opportunity. The bill would require the school district to report annually to the State Department of Education the academic and workforce preparation progress of pupils enrolled in its work-based learning or multiple pathway programs, or both. The bill would require the Superintendent to determine the minimum number of instructional hours per week that constitute weekly attendance *in a specified manner* and to calculate a revenue limit for each school district using ~~a~~ *that* minimum weekly attendance.

(2) Existing law authorizes the governing board of a school district or a county board of education, on a districtwide or countywide basis or on behalf of one or more of its schools or programs, after a public hearing on the matter, to request the State Board of Education to waive all or part of any statute in the Education Code or any regulation adopted by the state board that implements a provision of that code except as specified.

This bill would authorize the Superintendent, upon application of a school district and for the operation of a multiple pathway program, to waive any provisions of the Education Code, other than those relating to earthquake safety. *The bill would place specified reporting requirements on a school district as a condition of receiving that waiver and would authorize the Superintendent to repeal a waiver if the school district is not achieving specified progress.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 46308 is added to the Education Code, to read:

46308. (a) For purposes of this section the following terms have the following meanings:

(1) “Integrated academic and workforce approach to high school reform” means a districtwide system of pathway programs pursuant to Section 52372.5.

(2) “Work-based learning initiative” means a districtwide initiative to increase the delivery of quality work-based learning pursuant to Section 51760.1.

(b) In order to maximize classroom and workforce preparation activities as well as incorporate modified instructional schedules, commencing with the 2012–13 school year, a school district with an integrated academic and workforce approach to high school reform or a work-based learning initiative is eligible to apply to receive funding based on minimum weekly attendance instead of average daily attendance for pupils enrolled in its work-based learning or multiple pathway programs, or both.

(c) A school district that is eligible to apply to receive funding based on minimum weekly attendance instead of average daily attendance shall submit an application to the Superintendent. The application shall identify the high schools that will utilize a minimum weekly attendance and include their instructional schedules.

(d) A school district and a high school shall not use minimum weekly attendance to reduce the number of days instruction is offered or that a pupil is required to be in attendance at school or a work-based learning opportunity.

(e) As a condition of receiving funding based on minimum weekly attendance, the school district shall report annually to the department the academic and workforce preparation progress of pupils enrolled in its work-based learning or multiple pathway programs, or both. Indicators to measure that progress shall include, but are not limited to, all of the following:

(1) Graduation rates.

(2) Scores from the standards-based ~~achievements~~ *achievement* tests administered pursuant to Section 60640.

(3) Passage rates on the high school exit examination.

1 (4) Completion of career technical education courses.

2 (5) Completion of courses required for admission to the
3 University of California and the California State University.

4 (6) Completion of work-based learning opportunity courses.

5 (7) Other indicators of academic and workforce preparation
6 success, including workforce preparation, training certificates,
7 increased matriculation into postsecondary educational or training
8 institutions, enrollment in apprenticeship programs, and other
9 measures as determined by the department.

10 (f) (1) The Superintendent shall determine the minimum number
11 of instructional hours per week that constitute weekly attendance
12 and shall calculate a revenue limit for each school district using a
13 that minimum weekly attendance.

14 (2) *The Superintendent shall determine the minimum weekly*
15 *attendance pursuant to paragraph (1) in a manner that allows*
16 *pupils to attend school less than 240 minutes per day, provided*
17 *that pupils do not attend school less than 1200 minutes per week.*

18 (g) This section shall become inoperative on July 1, 2018, and,
19 as of January 1, 2019, is repealed, unless a later enacted statute,
20 that becomes operative on or before January 1, 2019, deletes or
21 extends the dates on which it becomes inoperative and is repealed.

22 SEC. 2. Section 52372.6 is added to the Education Code, to
23 read:

24 52372.6. (a) Upon application of a school district and for the
25 operation of a multiple pathway program, the Superintendent may
26 waive any provisions of this code other than those relating to
27 earthquake safety.

28 (b) *As a condition of receiving a waiver pursuant to subdivision*
29 *(a), the school district shall report every two years to the*
30 *Superintendent the academic and workforce preparation progress*
31 *of pupils enrolled in its multiple pathway programs. Indicators to*
32 *measure that progress shall include, but are not limited to, all of*
33 *the following:*

34 (1) *Graduation rates.*

35 (2) *Scores from the standards-based achievement tests*
36 *administered pursuant to Section 60640.*

37 (3) *Passage rates on the high school exit examination.*

38 (4) *Completion of career technical education courses.*

39 (5) *Completion of courses required for admission to the*
40 *University of California and the California State University.*

1 (6) *Completion of work-based learning opportunity courses.*

2 (7) *Other indicators of academic and workforce preparation*
3 *success, including workforce preparation, training certificates,*
4 *increased matriculation into postsecondary educational or training*
5 *institutions, enrollment in apprenticeship programs, and other*
6 *measures as determined by the department.*

7 (c) *The Superintendent may repeal waivers granted pursuant*
8 *to subdivision (a) if he or she determines that a school district is*
9 *not achieving sufficient academic and workforce preparation*
10 *progress for pupils enrolled in its multiple pathway programs*
11 *according to the indicators measured pursuant to subdivision (b).*
12 *The Superintendent shall provide school districts with notification*
13 *of his or her decision to repeal a waiver at least 180 days prior*
14 *to the effective date of the repeal and shall allow the school district*
15 *to appeal the repeal decision.*

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18 CORRECTIONS: _____

19 Text—Page 4.
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